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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 26.2.601/USA

In re Application of:	)	
	)	
Donald M. White, III et al.	)	
	)	
Serial No. 10/601,313	)	
	)	
Filed June 20, 2003	)	Group Art Unit 3671
	)	
For TWO STAGE SNOWTHROWER	)	Examiner R. Pezzuto
WITH IMPELLER HOUSING	)	
BYPASS	)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
WITH 1.17(P) FEE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

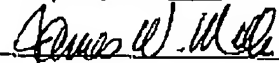
Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, the Applicant wishes to bring the information contained in the Declaration of Jerold F. Patrin, which declaration is listed on the attached Form PTO/SB/08B, to the attention of the Patent and Trademark Office.

The information contained in the Declaration establishes that the invention was conceived and actually reduced to practice some 12 years before a patent application was filed on the invention by the assignee, The Toro Company. However,

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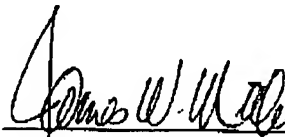
Certificate of Transmission under 37 C.F.R. 1.8. I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on

11/24/2004  
  
James W. Miller

during this gap, the Declaration further establishes that Toro long retained the original prototypes and other materials relating to the invention, that internal discussions and presentations were periodically had at Toro relating to use of the invention, and that Toro subsequently reactivated engineering work on the invention in 2001 and placed the invention into its two stage snowthrower line the first time such two stage snowthrower line was redesigned after the invention was made. Accordingly, it is clear that Toro never abandoned the invention under 35 USC 102(c) and is not barred under 35 USC 102(c) from seeking patent protection for the invention.

The Applicant wishes to have the prior art contained in this Supplemental Information Disclosure Statement considered even though such Statement is being submitted after the first Office Action. Accordingly, please charge the \$180 fee (i.e. the 1.17(p) fee) for submission of this Supplemental Information Disclosure Statement and any other fees that may be due on account of such submission, or credit any overpayment, to Deposit Account No. 20-1315. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



November 24, 2004

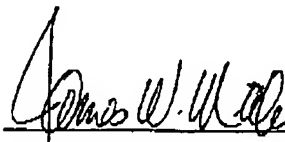
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PTO/SB/DBB (10-01)

Approved for use through 10/31/2002. OMB 0551-0031

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Substitute for form 1449B/PYO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)		<b>Complete if Known</b>	
Sheet		of	
		Application Number	10/601,313
		Filing Date	06/20/2003
		First Named Inventor	Donald M. White, III
		Group Art Unit	3671
		Examiner Name	Pezzuto
		Attorney Docket Number	26 2 601/USA

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, aerial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
		Declaration of Jerold F. Patrin

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 603. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.